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Cc: Darling, Mary N NWO[Mary.N.Darling@usace.army.mil]
From: Jenkins, Joy
Sent: Wed 3/11/2015 4:29:40 PM
Subject: update on Captain Jack
Property Owners 04Mar15.xls

Steve, Maureen and Richard –

I and Mary Boardman just had an update call on Captain Jack. Mary updated the attached table as well that tracks access and RN's.

- 1) We have an access agreement for RA from all property owners except one at the south end of the site where we may be placing a “point of compliance” monitoring well. (The location is going to be field fit to a certain extent and is very close to the property line of two properties. We have access from the other property owner.) We will continue to attempt contact with the property owner (asked Maureen to look for updated address), but this is not critical to the rest of the construction.
- 2) Mary sent letters about Use Restrictions (RN's) and asked for meetings to talk about long term access agreements (easements). No one has responded to the request to talk about long term access agreements. For RN's we got a “No” from [Citizen Name/Ex. 6] and questions that Mary is fielding from [Citizen Name/Ex. 6]
- 3) There are 3 properties that we identified for long term easements. From above, CDPHE sent letters with no response yet. I and Mary think it is ok not to push for easements before construction. We already have access agreements and we feel we may be in a better position to negotiate long term easements after construction. We will then have an exact description of the land that is occupied by the remedy and a better sense of exactly what requirements we need to have in easement agreement. The locations of features we need to access long term are determined by field conditions and locations (i.e. the wells into the mine pool have to be located above the tunnel). So really there is no ability to negotiate location of the features with the property owners.
- 4) CDPHE is sorting out whether they can directly acquire the easements or if they need

assistance from another state agency or EPA. Again, I am not seeing this as critical to do before the construction.

5) Mary is contacting [redacted] to set up an in person meeting in Late March to address the trees. She and I will meet with [redacted], anyone else is welcome to join.

6) Rough schedule for RA, the design contractor will assist the State in getting the bid package buttoned up and CDPHE should be able to put this out for bid around May, that timing will allow for a bid-walk with less chance of snow cover, and will allow a contractor to start work in August. The construction schedule is relatively short and is expected to be completed before winter sets in.

Let me know if you have any questions – Joy

Joy Jenkins, Ph.D., P.E.

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